
Judicial District of Ansonia/Milford
SUPERIOR COURT

Foreclosure Short Calendar

Hon. John W. Moran
14 West River Street-Milford
Second Floor Hearing Room
9:30 A.M.

NOTICE

Counsel are requested to notify the clerk's office as soon as possible if a matter on this list is to be marked "OFF." OFF markings will be accepted at any time.

Off, Ready, Take the papers, and Ready for adjudication markings will be accepted by FAX at 203-876-8640 until 4:00 PM Thursday preceding the Monday calendar or until Wednesday 5:00 PM if the preceding Friday is a legal holiday. Pro Se litigants without access to a fax machine may call their markings in to the foreclosure clerk at 203-877-4293 within the above stated time limitations.

Civil Short Calendar in each judicial district will commence at 9:30 a.m. on Monday of each week, unless it is rescheduled due to a holiday.

Short Calendar markings will occur from 9:00 a.m. Tuesday to 4:00 p.m. Thursday of the week preceding the Civil Short Calendar. In the event a state holiday falls on Thursday preceding the calendar, matters may be marked from 9:00 a.m. Tuesday to 5:00 p.m. Wednesday. If a state holiday falls on Friday preceding the calendar, matters may be marked from 9:00 a.m. Tuesday to 11:00 a.m. Thursday. Upon release of the Short Calendar Markings Entry transaction on the Judicial Branch website, markings may be submitted electronically based upon the

(Notice Continued on Last Column)

TABLE OF CONTENTS

NOTICE (continued from Column 1)

above time periods except that the periods will commence upon system availability, generally 7:00 a.m. Tuesday.

Counsel and pro se parties may mark a matter either by fax or by telephone. A standard fax form has been adopted and is available on the Judicial Branch website; a fillable version (JD-CV-85) is under development. Additionally, upon release of the Short Calendar Markings Entry transaction on the Judicial Branch website, attorneys registered with the Statewide Grievance Committee and law firms which have obtained a law firm juris number may enroll and obtain a secure password that will enable them to mark Civil Short Calendar matters electronically. The use of a fax machine or the electronic short Calendar Markings Entry transaction are encouraged as timesaving methods of transmittal.

Regardless of the method of transmittal, counsel and pro se parties are required to provide the following information when making a marking;

1. Column Number and position on the calendar;
2. Name and docket number of the case;
3. Number and title of motion;
4. Marking;
5. Full Name of the person making the marking and the firm name, if applicable; and
6. Confirmation that all counsel and pro se parties were notified of the marking.

Counsel and pro se parties shall bring the confirmation of the marking to the short calendar hearing of an arguable matter. This may be in the form of a fax and a transmittal confirmation sheet, a Short Calendar Markings Confirmation and Receipt produced upon the completion of the electronic Short Calendar Markings Entry transaction or a detailed signed statement from the person who telephoned the marking to the court.

A fax and a transmittal confirmation sheet, or a Short Calendar Markings Confirmation and Receipt produced upon completion of the electronic Short Calendar Markings Entry transaction serve as an acknowledgement of delivery. A telephone call to confirm delivery is not required. The unnecessary duplicative action of calling to verify receipt is burdensome to the clerks' offices.

Provided the matter has been marked "READY," argument will be heard on the day scheduled for short calendar on the following motions: "As of Right" motions listed in P.B. § 11-18 including Motions for Judgment of Foreclosure, Deficiency Judgments, Motions to Approve Committee Sale, Deed, Report, Expenses and Fees, Motions to Open Judgment, Motions for Protection from Foreclosure, and Motions for Judgment on the Mortgage Note.

It shall be at the Court's discretion to accept a "TAKE PAPERS" marking on an "As of Right" motion; those matters for which argument is deemed unnecessary will be taken on the papers while those motions for which argument is required by the Court will be scheduled for a hearing at a later date. The clerk will notify the parties of the hearing date by mail.

Any "Not As of Right" motion which has printed with an "As of Right" motion may be marked "TAKE PAPERS" or, if oral argument is requested pursuant to P.B. § 11-18, it may be marked "READY." If the "Not as of Right" motion is marked "READY" in conjunction with the "As of Right" motion, the Court will hear the matter on the day scheduled for short calendar. If only the "Not As of Right" motion has been marked "READY," the judge will determine whether oral argument is necessary. If oral argument is necessary, a hearing will be scheduled and the clerk will notify the parties of the hearing date by mail. Those matters for which argument is deemed unnecessary will be decided on the papers.

- An Affidavit of Appraisal should be submitted in lieu of testimony except where fair market value is contested. In the case of deficiency judgments, the appraiser shall testify if the appraisal is lower than the fair market value found at the date of judgment or if the fair market value is contested.

- The following originals should be submitted at the hearing on Motion for Judgment of Strict Foreclosure or Motion for Judgment of Foreclosure by Sale: Mortgage Note and Deed (or Affidavit of Loss), Appraisal Report, Affidavit of Debt with updated computation of the debt to day of judgment, and any necessary military affidavits.

- Opposing parties contesting value must file a Notice of Intent to Argue at least 3 days prior to hearing and must certify copies to all counsel and pro se parties of record.

- After a Foreclosure by Sale, the Motion for Supplemental Judgment is to be filed with a copy of the proposed judgment. If supplemental judgment disbursement is held by the clerk, the debt should be calculated to date of disbursement. No appearance should be necessary for a Motion for Supplemental Judgment.

- The Plaintiff shall file an appropriate affidavit indicating compliance with C.G.S. § 8-265dd (the Emergency Mortgage Assistance Payment Program).

- Defaults will not be granted at the time of judgment unless such motions have been filed pursuant to P.B. § 17-20 (Failure to Appear), P.B. § 17-32 (Failure to Plead), and P.B. § 13-19 (No Disclosure of Defense) and there has been compliance with the notice requirements as prescribed in the respective rules. Defaults for Failure to Appear, except as provided in P. B. § 17-23 through 17-30, and Defaults for Failure to Plead will be granted by the clerk. Defaults for Failure to Disclose a Defense will only be placed on the short calendar or heard after compliance with the notice requirements prescribed in P.B. § 10-12 through 10-17.

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